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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,383	07/19/2001	Akira Taguchi	4196-A1JPUS	4018

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EXAMINER

CHEN, SHIN HON

ART UNIT PAPER NUMBER

2131

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,383

Applicant(s)

TAGUCHI, AKIRA

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-11 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor U.S. Pat. No. 6542583 (hereinafter Taylor) in view of Watkins U.S. Pat. No. 5719560 (hereinafter Watkins).

4. As per claim 1, Taylor discloses a password generation and verification system, comprising: element group storage means for storing a plurality of element groups that are pre-selected from a plurality of different categories (Taylor: column 1 line 59 – column 2 line 47; column 3 lines 46-60), wherein each element group belongs to a selected category and includes a plurality of password elements input by a user that belong to the selected category (Taylor: column 3 line 61 – column 4 line 21); scramble element storage means for pre-storing a plurality of scramble elements (Taylor: column 3 line 61 – column 4 line 21); category sampling means for randomly sampling a predetermined number of specific categories from said selected category (Taylor: column 6 lines 38-47); mixed element group generating means for mixing a sampled password element that is randomly sampled from the plurality of password elements

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stored in said element group belonging to said specific categories with a predetermined plurality of sampled scramble elements, different than said sampled password element, that are randomly sampled from the plurality of scramble elements stored in said scramble element storage means and belonging to the same category as said sampled password element to generate a mixed element group for each specific category, each mixed element group arranging said sampled password element and said sampled scramble elements in random order (Taylor: column 3 line 61 – column 4 line 21; column 6 lines 38-47); selecting means for selecting, from said mixed element group, a selected password element according to said specific category (Taylor: column 4 line 66 – column 5 line 27); and verifying means for verifying said selected password element to said sampled password element for each specific category (Taylor: column 6 lines 27-48). Taylor does not explicitly disclose having display means for displaying said mixed element group. However, Watkins discloses a method for verifying personal identity through cue-response pair and presenting the cues to a person through display means and the cues are imageable cue-response pairs (Watkins: column 5 lines 30-54; column 9 lines 13-18). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to apply the authentication method to any type of transaction/communication. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Watkins within the system of Taylor because it allows on-site transaction authentication to be carried out through visual communication.

5. As per claim 2, Taylor as modified discloses a password generation and verification system according to claim 1. Taylor as modified further discloses wherein said element group is

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stored, with said password element associated with said specific category, in said element group storage means (Taylor: column 3 lines 46-60).

6. As per claim 3, Taylor as modified discloses a password generation and verification system according to claim 1. Taylor as modified further discloses wherein said password element includes image information (Watkins: column 5 line 58 – column 6 line 13).

7. As per claim 4, Taylor as modified discloses a password generation and verification system according to claim 1. Taylor as modified further discloses wherein said mixed element group generating means is coupled via a telecommunication line to said display means and said selecting means (Watkins: column 9 lines 13-19; Taylor: column 3 lines 17-29).

8. As per claim 5, Taylor as modified discloses a password generation and verification system according to claim 4. Taylor as modified further discloses wherein said telecommunication line includes lines for utilizing a fixed telephone, cellular telephone, and the Internet (Taylor: column 3 lines 17-29).

9. As per claim 6, Taylor as modified discloses a password generation and verification system according to claim 1. Taylor as modified further discloses wherein said verifying means outputs a match signal when all of said selected password elements match said sampled password elements (Taylor: column 7 lines 21-23).

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10. As per claim 7-9, claims 7-9 encompass the same scope as that of claims 1-6. Therefore, claims 7-9 are rejected based on the reasons set forth in claims 1-6.

11. As per claim 10 and 11, Taylor as modified discloses a password generation and verification system according to claims 1 and 7 respectively. Taylor as modified further discloses wherein said selected password element is not verified to said sampled password element when said selected password element is not selected within a predetermined time (Taylor: column 7 lines 41-59).

Response to Arguments

12. Applicant's arguments filed 6/6/05 have been fully considered but they are not persuasive.

Regarding applicant's arguments, applicant argues that Taylor does not disclose storing, selecting or using password elements, scramble elements or mixed elements. However, Taylor discloses randomly presenting the questions from a set of questions and that essentially is mixing the password elements so that they are not presented in a fixed way and the answers to the questions must have been pre-established to enable the system to verify whether the user is really who he/she claims to be. Therefore, applicant's argument is respectfully traversed.

Regarding applicant's argument on the categories of password element, given the broadest interpretation of the term "category", every question presented to user can belong to a unique category. Furthermore, applicant argues that the Taylor reference does not disclose displaying question with a set of possible answers. However, Watkins is relied upon to disclose

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that limitation. Therefore, the combination of Taylor and Watkins should be considered as a whole to avoid piecemeal analysis.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kung U.S. Pat. No. 5442342 discloses distributed user authentication protocol.

Hondros et al. U.S. Pat. No. 6263439 discloses verification system for non-traditional learning operation.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen
Examiner
Art Unit 2131

SC

Cell
Primary Examiner
AU 2131
8/12/05